

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARKUS KLINKO,

Plaintiff,

-against-

MICHAEL BALL a/k/a MICHAEL F. BALL,

Defendant.

Case No. 07 CV 11362 (VM) (HP)

**AFFIDAVIT OF MICHAEL BALL IN
SUPPORT OF MOTION TO DISMISS
OR, IN THE ALTERNATIVE, TO
TRANSFER**

State of California)
) ss.:
County of Los Angeles)

Michael Ball, being duly sworn, deposes and says:

1. I am a defendant in the above-captioned action. I submit this affidavit in support of the motion to dismiss or, in the alternative, transfer the Complaint of plaintiff Markus Klinko ("Plaintiff").

2. I currently live in the city of Santa Monica, county of Los Angeles, California. I have lived in California for more than ten years and have no intention of moving anywhere else.

3. I am the CEO of Rock & Republic Enterprises, Inc., which is located at 3523 Eastham Blvd., Culver City (Los Angeles County), California. This is my regular place of business.

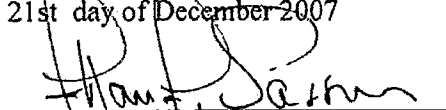
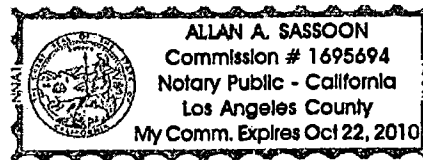
4. On or about October 6, 2007, I was interviewed by Andrew Harmon, a reporter from DNR. This interview took place in Los Angeles, California.

Dated: Los Angeles, California
December 21, 2007



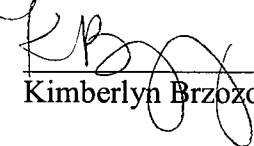
Michael Ball

Sworn to before me this
21st day of December 2007


Notary Public

CERTIFICATE OF SERVICE

I do hereby certify that on this 26th day of December, 2007, I served a copy of the foregoing **Affidavit of Michael Ball in Support of Motion to Dismiss or, in the Alternative, to Transfer** on counsel for Plaintiff in the above-captioned matter via electronic mail and Federal Express.



Kimberlyn Brzozowski

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